

CITY OF BATAVIA
MINUTES OF THE BATAVIA CITY COUNCIL
February 19, 2018, at 7:30 p.m. - City Council Chambers
100 N. Island Ave. Batavia, Illinois

PLEASE NOTE: These minutes are not a word-for-word transcription of the statements made at the meeting, nor intended to be a comprehensive review of all discussions. Minutes are intended to make an official record of the actions taken by the Committee/City Council, and to include some description of discussion points as understood by the minute-taker. Any references to discussion and /or statements are only to provide greater clarity to the public and they may not reference all, some, or any of an individual speaker's comments.

1. MEETING CALLED TO ORDER

The meeting was called to order by Mayor Schielke at 7:30 p.m.

2. INVOCATION followed by PLEDGE OF ALLEGIANCE

Mayor Schielke offered a brief invocation. Ald. Stark led the Pledge of Allegiance.

3. ROLL CALL

14 of 14 aldermen were present.

Aldermen (by ward): Scott Salvati (1), Michael O'Brien (1), Alan Wolff (2), Martin Callahan (2), Dan Chanzit (3), Elliot Meitzler (3), Susan Stark (4), Anthony Malay (4), Lucy Thelin Atac (5), Mark Uher (5), Michael Russotto (6), Nicholas Cerone (6), David Brown (7) and Drew McFadden (7) were present.

Also present were BATV and members of the press, public and the following:

City Administrator	Laura Newman
City Clerk	Ellen Posledni
Fire Chief	Randy Deicke
Deputy Police Chief	Sean Mazza
City Attorney	Roman Seckel
Finance Director	Peggy Colby
Director of Public Works	Gary Holm
Economic Development Consultant	Chris Aiston

4. ITEMS REMOVED/ADDED/CHANGED

None.

5. CONSENT AGENDA

Ald. Atac read the consent agenda as follows:

Accept and Place on File:

- A. Historic Preservation Commission Minutes for January 22, 2018
- B. Plan Commission Minutes for November 1, and December 6, 2017
- C. Committee of the Whole Minutes for January 23, 2018
- D. November and December 2017 Financial Reports

Approvals:

- E. February 9, 2018 Payroll \$816,342.31
- R. Accounts Payable Check Register \$4,335,423.14
- G. City Council Minutes February 5, 2018
- H. **RESOLUTION 18-21-R:** Tax Abatement (Liz Perez 2/6/18 COW 2/13/18 11/0)
- I. **RESOLUTION 18-22-R:** Tax Abatement (Liz Perez 2/6/18 COW 2/13/18 11/0)
- J. **RESOLUTION 18-23-R:** Tax Abatement (Liz Perez 2/6/18 COW 2/13/18 11/0)
- K. **RESOLUTION 18-24-R:** Tax Abatement (Liz Perez 2/6/18 COW 2/13/18 11/0)
- L. **RESOLUTION 18-25-R:** Renewing Contract for AID Victim Services (Chief Eul 2/6/18 COW 2/13/18 11/0) GS
- M. **RESOLUTION 18-26-R:** Renewing Contract for Drendel and Jansons Local Prosecution (Chief Eul 2/6/18 COW 2/13/18 11/0) GS

**Motion by Ald. Atac, seconded by Ald. Stark, to approve the Consent Agenda as presented.
Motion carried 14 yea/ 0 nay/ 0 absent.**

6. PRESENTATION: Scott Corbin – Tri Cities Ambassador

Mr. Corbin was not present.

7. PRESENTATION: Patty Smith – Dukane Abate

Representatives of DuKane ABATE shared their appreciation to the City of Batavia for its long-standing support of their organization, which hosts an annual motorcycle ride to raise toy and food donations for local charities. The ride ends at the Batavia VFW Post 1197, requiring a brief closure of Wilson Street each year. Last year, 18 charities were supported in its 31st year. Plaques were presented to Mayor Schielke (for the city), Chief Deicke (for ESDA) and Deputy Chief Mazza (for the Police Department). The event is the second-largest toy donation event in the area, just behind Chicago's Toys for Tots program, and it is the largest donation event for both toys and food. The next event will be October 14, 2018.

Mayor Schielke thanked the organization for its great support of the ACCESS Toy Drive, which has provided many toys to families in need in Batavia.

8. MATTERS FROM THE PUBLIC: (For Items NOT on the Agenda)

None.

9. MAINSTREET

In lieu of a presentation from MainStreet, Abby Beck from the Well Batavia Initiative introduced the group's new Walk Batavia, Bike Batavia movement to increase the number of people walking and biking downtown. The group is behind the Walk Your City signage around town as well. They have created a mini-documentary made possible with a grant from the AARP to promote walkability and visually showcase the walking and biking infrastructure in Batavia as well as the challenges. Ms. Beck shared two 30-second teasers from the documentary.

The initiative will launch a website on March 1 and will promote its cause via social media and through sharing with national organizations.

Mayor Schielke noted that representatives of Lime Bike met with him recently to discuss the possibility of bringing a bike rental program to Batavia. The company operates a rental service in Chicago and other large cities, and is looking to expand into suburban service, with Batavia as a central point to help connect Naperville and Geneva. Chicago residents could take the Metra to Naperville, pick up a Lime Bike to ride to Geneva, and then take the train back to the city. Mayor Schielke suggested that Ms. Beck may want to reach out to Lime Bike to discuss the opportunity.

10. RESOLUTION 18-27-R: Change Order # 4 with Williams Brothers Construction Inc. (Ritchason 2/8/18 COW 2/13/18 0/0) PU

Ald. Chanzit introduced the resolution regarding a change order for the wastewater treatment plant project that requires additional underground piping. The change results in an increased cost of \$54,578 with no impact on project completion timeline.

Ald. Wolff noted that the updates provided at Committee of the Whole meetings on this project have been very good. This change order is about 1 percent of the total cost of the project. The oversight of the project has been phenomenal considering the massive amount of work being done and the issues being found every month. Also, he wants the public to understand that this project is the reason why there is a lingering smell downtown, and that will probably continue for another six months, but the project is a good thing for the community to be able to handle the upgrades that are expected to be required in the future.

Ald. O'Brien concurred, giving a special thanks to city staff and Trotter & Associates for doing such a great job and picking excellent contractors for the project. He said the oversight has been excellent.

Motion by Ald. Chanzit, seconded by Ald. O'Brien, to approve the resolution as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

11. ADMINISTRATOR'S REPORT

Administrator Newman said that tomorrow night's Committee of the Whole has been canceled. She met today with Austin Dempsey to discuss the placement of the Flag Day Memorial. The area originally chosen would require the elimination of the circle drive, which is important for larger vehicles, including fire trucks, to turn around. While the South Plaza was originally ruled out because of expected interference with underground utilities, the newly designed memorial is smaller and may now work in that area. This placement would also make the memorial more

prominent from the bike path at the end of Houston Street. The next step is to seek approval from the Batavia Park District, who owns the property.

Prairie Commons is expected to file their final application by March 1.

No proposals have been received from the RFP published for the Thomle Building, but city staff is hosting an informational meeting for prospective buyers can have questions answered.

Staff is reviewing the final plat and engineering for development at the southwest corner of Wilson Street and Spuhler.

Last week, the Historic Preservation Commission approved the certificate of appropriateness for the façade changes to the One Washington Place project.

The Dollar Tree store on Fabyan Parkway has received a building permit.

Last Thursday, representatives from NICOR met with city staff to explain their new meter pilot program that will affect 800 residents in Batavia and North Aurora. The automated meters will eliminate the need for in-person meter readers and will be similar to the city's water and electric meters. Affected homeowners have been notified, and all work will be done on the outside of the homes. Ald. Wolff asked if the meters would be using radio or hooked into a central system, and Administrator Newman said she believes it's all radio.

Ald. O'Brien asked if the current owner of the Campana building understands that the property is currently zoned mixed use, so residential doesn't have to go in there. It is important that he understands that when trying to sell the property. Administrator Newman responded that the city has explained to him what this zoning means.

Mayor Schielke noted that moving the flag memorial to the southwest corner of the property would also entail rerouting the bike path. He also added that the circle drive with the windmill has become problematic due to the current vegetation that obscures drivers' view. An elderly driver nearly struck a young child who was in the windmill circle and covered up by 3 to 4 feet of prairie grass. A woman in a wheelchair was also nearly struck for the same reason. He wondered if the prairie grass would need to be removed. The Mayor also noted that he was pleased with the last meeting with the people working on the Flag Day project.

12. COMMITTEE REPORTS

Ald. Brown reported that the next Committee of the Whole meeting has been canceled.

The next Plan Commission meeting will be February 21 at 7:00 p.m., which will include the continuation of a public hearing for the amendment of the official zoning map from light industrial to neighborhood and commercial for 106 and 126 South Mallory Ave. Also on that agenda is public hearing for the amendment to the comprehensive plan use map for general commercial to general light industrial and the amendment to the official zoning map from GC – general commercial with arterial street setback overlay district to LI – light industrial with

arterial street setback overlay district for portions of the southeast corner of Fabyan Parkway and Nagel Boulevard.

The next Historic Preservation Commission meeting will be February 26 at 5:30 p.m.

The next Committee of the Whole will be 7:30 p.m., and an update on the branding project is expected at that meeting.

Ald. Atac said the next Committee of the Whole meeting would include a discussion of the city's Strategic Plan: Mission, Vision, Values, SWOT analysis and major topics.

There were no other reports.

13. OTHER BUSINESS

Ald. Callahan noted that a local resident who is wheelchair-bound recently was unable to get to Limestone Coffee & Tea because of the lack of handicapped-accessible parking downtown. He noted that Batavia's walkability is great, but not if you have accessibility issues. One space that he suggested could be converted to handicapped parking is the southeast corner of Wilson and Shumway, and Ald. Callahan asked that the city explore creating designated handicapped parking spaces in the central downtown area.

Mayor Schielke also mentioned the area south of the old Public Works building on South Shumway may be a good choice to site handicapped parking. Ald. Callahan said the goal is to choose locations that are convenient and accessible for multiple businesses and that can accommodate large equipment. Mayor Schielke said he sat in with staff when designing the parking lot on the Larson Becker property and they gave great consideration to these needs when designing that lot because the indications were that there would be a great demand for accessible parking along River Street. He suggested this topic should be an ongoing conversation at Committee of the Whole meetings to explore other locations to site accessible parking.

Ald. Callahan also mentioned that he forwarded information to city staff on the PulsePoint app, which informs the public about the location of automated external defibrillators (AEDs) and accessibility to people trained in CPR. He asked if another alderman would join him in supporting Chief Deicke to present information about the app to Tri-County because other shareholders would need to buy in to make it successful. Ald. Cerone affirmed that he would support it.

Ald. Callahan also brought up the recent school shooting in Parkland, Florida. He spoke with Batavia School District Board member Chris Lowe, who indicated that the board wants to see some action in response to the tragedy. The school board would like to have a community conversation for residents to learn what resources we have in the community to help keep kids safe. He said we need to start talking about what we have available.

Chief Mazza indicated a couple of nationwide movements were planned on March 14 and April 20. Mayor Schielke said the school district and city are in support of those endeavors, one of which would have kids walking out of school for 17 minutes, which he said sends a positive

message. The Mayor noted that Ald. Chanzit has brought up a potential gun resolution on multiple occasions, and the city's lawyers have looked at it to determine what the city can and can't say. The bottom line is that the city can say anything, but federal law stands in the way of what can be enforced. It is complex. But he would like the city attorney to determine what they can do that wouldn't be shot down legally. Mayor Schielke shared a story about traveling to Springfield with Chicago's Mayor Daley in 2002 after a Batavia police officer was shot by a citizen. Mayors Schielke and Daley were asked to go to Springfield to testify about police-related shootings, and they had hoped to push legislation that would force every gun in Illinois to be traceable to its owner. The effort was futile.

Ald. Callahan reiterated that this is not just an issue of school violence. It is an issue of mental health, drug abuse and suicide as well. Those situations are more common than school shootings, but all rely on being able to recognize when our neighbors, friends and family are in trouble, and how and where to get help.

Ald. O'Brien said the Council should go to state and federal representatives and tell them how they feel. He said if they say it long enough and loud enough, maybe someone will listen. Thoughts and prayers mean nothing. He said the Council should draft a letter that says enough is enough. We need smarter laws on the books. He said everyone hides behind the 2nd Amendment, but it's a little outdated today. He said he is not looking to take people's guns away. He thinks it's important to tell the higher officials what the Council wants them to do, because the aldermen represent a lot of people. Ald. Stark agreed.

Ald. Meitzler also agreed. He said officials should hear from them. Generally it's a complex issue, but it's bigger than the 2nd Amendment. There is a wide range of weapons used in these attacks, and school shootings are just part of the problem. There have been mass shootings at other locations, not just schools. And those are a small number compared to the number of suicides by gun. Thousands are taking their own lives with guns, including kids and veterans. He said the adults need to do something and not wait for another tragedy. He cautioned against taking partisan sides, and said he supports Ald. Callahan and Mr. Lowe in their plan to have a community conversation, free of partisan politics. He said he is not trying to take people's guns away and recognizes it's a serious, complicated problem. He said if we are serious about protecting people, sacrifices need to be made.

Ald. Chanzit said he is happy to hear support from his fellow aldermen. When he brought the idea to the City Council in November, he called mayors in Tucson, Akron, Charlottesville and Philadelphia. They all unanimously passed resolutions calling for money for mental health resources and for leaders to look at gun laws. All four cities said not one person from the NRA opposed their resolutions. Kids being interviewed on the news today said they are walking out of school because they don't believe in their leaders anymore because the leaders screwed up. Ald. Chanzit said he doesn't want to be part of that group of people who screwed up.

Ald. Salvati thanked Ald. Chanzit for his efforts and agreed with the children who said the adults have failed them. He said they can sign a resolution, they can write letters to lawmakers, but he said he thinks they need to start in our town and our community, so our kids know we care about them.

Ald. Atac noted that other communities are coming up with action plans and wondered if staff could find out what other cities are doing. She said a town hall meeting would be good, but it would be good to go into such a meeting with background about what is possible.

Mayor Schielke responded that the police department has been very much on top of this issue, and that our city was an early adopter of the concept of having a police officer at the high school every day while school is in session. He said a lot of positive outcomes have resulted from having an officer present on campus. Mayor Schielke then shared a story about his memories of the Newtown school shooting, which directly impacted former Batavia residents who had just moved to Newtown to be close to their grandchildren, one of whom was killed in the shooting.

Ald. Stark said the topic is so confusing and she is not sure how to respond. She added that the state of Illinois saw 2,278 drug overdoses in 2018, which is a massive problem. She said the city should be having a bigger conversation about what we should be doing in our community. It is heartbreaking that these tragedies are unfolding around us.

Ald. Callahan said he supports Mr. Lowe's idea because people don't want to research anymore. We won't find any solutions if we don't talk about what's going on.

Ald. O'Brien said we need to be prepared to talk about mental health issues. These issues affect all families, and nobody talks about it. You'd rather say someone in your family had cancer than a mental health issue. People can be helped with medications and therapies to manage these illnesses. That discussion needs to be had.

Several aldermen shared their stories about close family members with mental health issues, and agreed that it needs to be discussed.

Ald. Salvati noted that this subject gets to the core of how we raise our children and how we treat each other in this community, how we talk to each other with respect and listen to each other.

Mayor Schielke noted that on social media, people are commenting on the plight of some homeless people who are living on the streets of Batavia. He praised the police department for having daily conversations with these people. He said that Chief Eul gets up at 4 a.m. to go out and see where they are sleeping and try to counsel them. The Mayor noted that two of these individuals refuse any help.

Mayor Schielke said everyone should get in the face of people running for elections at the state and federal level and make their thoughts known, because those are the people who need to hear these opinions and those are the people who are in a position to make a difference.

Ald. Wolff shared that his family has also been affected by a mental health tragedy, and he agrees with Ald. Meitzler that we're done talking. He said it is time to move beyond that, and wondered what can be done at the city level. They can't expect anyone else to take action. He said no one respects anyone anymore and that society has devolved. He said as parents and

community members, we need to be part of the solution and figure out how to work with the school district and community.

Ald. Salvati said this needs to start in our backyards. He said it is not just the city, or the school district, or the police department, it is our places of worship, our neighborhoods. He said he is behind Ald. Callahan and Mr. Lowe 100 percent. He does not know what the City Council can do legally, the lawyers can figure that out, but this conversation needs to be had.

Ald. Malay agrees that mental health is a big problem and his family has been affected by suicide. However, he said not to forget that the real issue is guns. Other countries have mental health problems, but don't have these shootings. He said we have a gun problem. Everyone voting should know the voting record of the person they are voting for. Rep. Hultgren votes with the NRA 93 percent of the time. He was a champion this fall of legislation that undermined the Illinois state law regarding concealed carry and reciprocity. He is part of the problem. So if you want to do something, don't vote for people who support doing nothing about guns and letting the gun manufacturers rule. The NRA claims to have rank and file members, but the real money comes from gun manufacturers. This is about sales of guns, and if you want to do something about it, vote these people out that are failing our children. The purpose of the social contract is to protect us from each other, and our leaders are failing us. Mental health has to be addressed, but don't lose sight of the real issue, which is guns. Assault rifles are meant to kill people.

Mayor Schielke said it was a good conversation to have. The state and federal government hold a lot of cards as far as what can and can't be done, but he noted that the aldermen are a good representation of the sentiment that is now spread widely throughout the community.

Mayor Schielke asked Mr. Lowe if he knew yet when the meeting would be held. He responded that sooner would be better, as public attention tends to wane quickly. Mayor Schielke suggested he find a large venue to hold the crowd. Mr. Lowe said he wants to find out which community leaders want to participate, and from there find a venue, perhaps one of the schools.

14. MAYOR'S REPORT

The Mayor had already shared the information he intended to share for his report.

15. EXECUTIVE SESSION: Sale of Electricity

Motion by Ald. Chanzit, seconded by Ald. Malay, to enter Executive Session to discuss the sale of electricity. Motion carried 14 yea/ 0 nay/ 0 absent.

16. ADJOURNMENT

The meeting returned to open session at 9:07 p.m.

Motion to adjourn by Ald. Salvati, seconded by Ald. Meitzler. Motion carried by voice vote.

The City Council meeting adjourned at 9:08 p.m.

Minutes prepared and submitted by Ellen Posledni, City Clerk, February 27, 2018.